# Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

## Minutes September 10, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, September 10, 2010, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners

**Present:** 

Mmes. Donnelly-Cohen, Halverson, Merrigan, Porter, Thao, Wang, Wencl;

and Messrs. Alton, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Schertler,

Ward and Wickiser.

Commissioners

Ms. \*Young and Messrs. \*Commers, \*Spaulding.

Absent:

\*Excused

**Also Present:** 

Donna Drummond, Planning Director; Allen Lovejoy, Public Works, Patricia

James, Ryan Kelley, and Sonja Butler, Department of Planning and Economic

Development staff.

#### I. Approval of minutes August 27, 2010.

MOTION: Commissioner Alton moved approval of the minutes of August 27, 2010. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.

### II. Chair's Announcements

Chair Donnelly-Cohen announced that there will be a change in the order of the items on the agenda for today, the Parks and Recreation Project update will come right after the Planning Director's announcements.

#### III. Planning Director's Announcements

Donna Drummond reported that the City Council and HRA have approved various finance and spending plans related to the Rebuild Saint Paul initiative. The HRA took final action on Wednesday, September 8<sup>th</sup> regarding these projects. The two major projects in downtown are the Penfield and Lofts at Farmers Market.

#### IV. Zoning Committee

Site Plan Review – List of current applications. (Tom Beach, 651/266-9086)

Two items will come before the staff Site Plan Review Committee on September 14, 2010. They are: Highland Park Golf Center and Putting Course, called the First Tee Denny Sanford Highland Learning Center, at 1403 Montreal Avenue, a new teaching facility building and putting greens; and the Penfield mixed use development (grocery store and apartments) at 10<sup>th</sup> and Minnesota,

for preliminary review.

#### OLD BUSINESS

#10-506-183 Sandra Belisle – Change of nonconforming use to add pet day care and boarding to existing pet grooming business. 360 Clifton Street, SE corner at Jefferson. (Patricia James, 651/266-6639)

<u>MOTION</u>: Commissioner Kramer moved the Zoning Committee's recommendation to deny the change of nonconforming use. The motion carried 13-3 (Connolly, Halverson, Wencl) on a voice vote.

Commissioner Kramer announced the agenda for the next Zoning Committee meeting on Thursday, September 16, 2010.

### V. Comprehensive Planning Committee

<u>Currency Exchange/Industrial Loan and Thrift Study</u> – Approve resolution recommending zoning code text amendments to the Mayor and City Council. (*Patricia James*, 651/266-6639, and Ryan Kelley, 651/266-6562)

Ryan Kelley, PED staff, gave background on the Currency Exchange/Industrial Loan and Thrift Study. He said the City Council passed a moratorium on currency exchanges and industrial loan and thrifts that expires December 8, 2010. Mr. Kelley provided descriptions of the types of businesses covered by the proposed text amendments. He also stated that a previous zoning study on currency exchanges was done as a result of a state statute change in 1992, which added a distance requirement of one-half mile between establishments and added a system of notification so that the state would notify the municipality when a business is applying for a state currency exchange license. Denial or approval of that currency exchange license thus resided with the municipality; the state would follow whatever the municipality decided. The zoning study also added a distance requirement of 100 feet from the establishment to a residential district or residential dwelling.

Research for the study included identifying other licenses issued by the Department of Commerce that might allow a business to operate in the same manner as a currency exchange. Through this research the study also found that businesses referred to as payday loan lenders were not regulated in Saint Paul zoning code. The proposed text amendments combine these uses with currency exchanges under the umbrella use of alternative financial establishments. This use would include businesses licensed as currency exchanges, industrial loan and thrifts, consumer small loan companies and regulated loan companies. Mr. Kelley showed a map of where these establishments are currently located. He also showed a map of areas where these establishments would be allowed under the proposed zoning amendments.

Commissioner Alton commented that the proposed changes expand the separation from residential by 50%, from 100 to 150 feet and also add restrictions of distance between establishments. We are greatly reducing the area in which these legal businesses can operate. His concern was whether the City could restrict the location of a legal operation of business so that there is no place for it to open up and that the ordinance would therefore be unenforceable. It is a legal business and you can not zone it out of existence. University Avenue is an example

where it might be an appropriate place to have this type of business, but there may not be anywhere on the map that is 150 feet from a residential unit the way it is defined in this ordinance.

Donna Drummond, Planning Director, pointed out that the proposed language for the ordinance was revised based on the committee's actions last Tuesday, and it requires 150 feet from any lot in a residential district or lot occupied with a one-, two-, or multiple family dwelling. It may need to be clarified whether or not that includes a mixed-use building.

Patricia James, PED staff, added that they have reviewed the ordinance with the City Attorney and he has not raised this as an issue. One of the things found in the research is that there are communities that ban these uses outright. There are also cities in Minnesota that limit the number of licenses that are permitted.

Commissioner Alton noted that in Section 65.511 in the first sentence it says: A person, firm, association, corporation or partnership and towards the end it says: include a person or <u>firm</u>, but the words association, corporation or partnerships are not there and he suggested including these terms.

MOTION: Commissioner Wencl, on behalf of the Comprehensive Planning Committee, moved to approve the resolution and forward it on to the Mayor and City Council for their consideration. Commissioner Wencl accepted Commissioner Alton's suggested language change as a friendly amendment. Commissioner Merrigan seconded the motion. The motion carried unanimously on a voice vote.

## VI. Neighborhood Planning Committee

Commissioner Wencl announced that they had no business this past week but the next Neighborhood Committee meeting will be on Wednesday, September 15, 2010.

VII. <u>Parks and Recreation Project Updates</u> – Informational presentation by Jody Martinez, Manager of Design and Construction, Saint Paul Parks and Recreation.

Jody Martinez, Saint Paul Parks and Recreation, gave a power point presentation to update the Commission on current Parks and Recreation projects.

- Raspberry Island was completed last year (2009) and that was a \$5,000,000 project which the State of Minnesota funded directly. The project turned out beautifully and then it flooded, but almost everything survived.
- Harriet Island Regional Park Phase II A new picnic shelter. This completed what was begun in phase I, which extends the river walk all the way to the end of the island.
- McMurray Fields Three new synthetic turf soccer fields, the first in their system.
- St. Clair Play Area A new playground.
- Hamline/Hague Park Another playground just finished.
- Bruce Vento Nature Sanctuary A new trail project that connects from the sanctuary into downtown.
- Bruce Vento Master Plan This is a regional park and trail system. They worked with the Metropolitan Council, which has a very specific process to go through, and now this is a part

of the regional system.

- Comprehensive Plan/ Parks & Recreation Chapter and the Parks Vision Plan which were both adopted in 2008. The vision plan has five sections, looking at the current parks system, overview of recreation trends, defining the six major goals and then a list of initiatives and actions that will help achieve those goals and provide tools to help implement the plan.
- Parks System Plan Follows the vision plan and will look at the specifics of how they are going to get to what is stated in the vision plan.
- Great River Park Master Plan A huge planning effort involving all 17 miles of the riverfront. It's looking at the entire river valley system of parks based on the three principles of more natural, more urban and more connected. This is a current project that is just underway.
- Como Regional Park Transportation & Implementation Plan Traffic issues within the neighborhood are very important and problematic. Como is the most popular regional park and they need to come up with some long term ways to solve these issues.
- Victoria Park Master Plan Parks is working with PED on this project and the community to finalize some programming ideas. The plan is to have four new soccer fields and a new community park within this site.
- Palace Recreation Center Renovation and addition with CIB funds.
- Payne/Maryland Complex a \$38,000,000 project that will be built on the site of the current Arlington Recreation Center. This is a very complex project. A church, a celebration of life center, a community center, a new library and a recreation center are all intended to be included in this complex.
- Como Aquatic Center A complete replacement of the pool and includes a bath house, a lazy river, a splash pool, a lap pool and a zip line.
- Highland Pool Renovating the bath house.
- Play Areas Hancock and Holly are underway, Baker starting now, and Harriet Island is a new nature based playground. Como Park, Conway and Burns play areas have not started vet. but they have funds to do so.

#### Trails:

- Sam Morgan Trail Extension Parks recently celebrated the grand opening of this newly constructed trail from 35E to Hwy 5.
- Grand Round Project Involves putting in 4 new stations, and 14 interpretive signs along the river portion of the Grand Round.
- Cherokee Regional Trail Extending the trail up Ohio and along the bluff.

#### Historic Bridges:

- Phalen Historic Bridge Currently under construction, to be completed the summer of 2011.
- Como Historic Bridge Starting design process. The bridge is historic and a trail will go under it, but the bridge is in a dangerous condition. So it will stabilized and completed as a ruin.
- City House A new facility along the river, very unique. Work will be done on the sprinkler system and the restrooms. The long term goal is to have a nice restaurant in the building.
- Como Woodland and Outdoor Classroom Within this is the Joyce Kilmer Fireplace which is a historic structure and it is in need of repair. There are some funds for this and currently it is out for bid and the bids are due today.

Ms. Martinez said that there are so many more big projects that she has not even touched on such

as the Como Zoo and Conservatory. They just completed the polar bear exhibit and are starting on the gorilla exhibit. A lot of this information is on the web site at <a href="www.stpaul.gov">www.stpaul.gov</a>.

Commissioner Porter asked Ms. Martinez to explain what's involved in the community process for these projects.

Ms. Martinez said that every project is different and every one of their projects involves working with community groups. Usually the first call is to the district council, and to work with them to set up a task force of interested people. Then they go through a design process, which is very extensive, and get input and work with people.

Commissioner Connolly asked what is being done for dog parks.

Ms. Martinez said that within the Lilydale Park they are scheduled to have a new dog park. There are some plans for a few others that are just in the planning stage. As it's coming forward in the systems plan they will be identifying several sites for dog parks because they know it's a need and they want to go forward with it.

Commissioner Merrigan said that within the Payne/Maryland complex there is a Celebration of Life Center, what is that?

Ms. Martinez explained that it is a Bradshaw Funeral Home and it will be a center for people to come and celebrate someone's life.

Commissioner Ward asked about the dog parks, wanting to know will these dog parks be free, will they need a permit or will there be some type of licensing that the dog owners will need to access the park.

Ms. Martinez said that the way Parks has been looking at it, since there is only one right now, it did not make sense to go forward with some kind of fee system. But as they add more to the system they will work something out.

### VIII. Transportation Committee

Donna Drummond announced that the Transportation Committee will be meeting on Monday, September 13, 2010. This will be their second meeting and she announced the items on the agenda for that meeting.

#### IX. Communications Committee

No report.

## X. Task Force Reports

Commissioner Wencl announced that the Joint Airport Zoning Board will be meeting on Tuesday, September 14, 2010 at 3:00 p.m.

Commissioner Wencl also reported that the Smith Avenue Plan Task Force will be meeting on Tuesday, September 14, 2010 at 6:00 p.m.

Commissioner Nelson reported that the Como Avenue Task Force will be meeting on Thursday, September 16, 2010 to review the summary for the Comprehensive Plan.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:38 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,

Approved September 24, 2010 (Date)

Donna Drummond Planning Director Marilyn Porter Secretary of the Planning Commission

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